

For Elections to be free, fair and proper, it is necessary that all the councillors participate without fear or coercion. It will not be so if some councillors are somehow kept out and prevented from doing so. In the circumstances it was not thought fit to allow the voting take place on 29-7-1976 for election of the President and Vice-President to the City Municipal Council, Mandya,

Therefore in exercise of the powers conferred by Rule 19 of the Karnataka Municipalities (President and Vice-President-Elections) Rules, 1960, and pending further investigation of the matter, the voting scheduled to take place on 29-7-1976 was ordered to be postponed.

Now that the two councillors who were not available for voting on 29-7-1976 and for whose sake, the voting was postponed, are available the stay order issued by Government in order No. HMA 38 TEL 76 dated 29-7-1976 (Postponing the voting on 29-7-1976) has been vacated on 20-10-1976 and directions have been issued to the Deputy Commissioner, Mandya to fix a fresh date for election of the President and Vice-President. It has also been made clear that the previous calendar of events issued by the Election Officer will hold good. Pending elections of the President, and vice-president the Deputy Commissioner, Mandya is performing the functions of the President. Elections of the President & Vice President expected to be completed by the end of November, 1976.

ಶ್ರೀ ಹೆಚ್. ಬಿ. ಕೃಷ್ಣಪ್ಪ.—ಅಧ್ಯಕ್ಷರೇ, ಮಾನ್ಯ ಮಂತ್ರಿಗಳು ಕೊಟ್ಟಿರತಕ್ಕ ಹೇಳಿಕೆಯಲ್ಲಿ ಅಧ್ಯಕ್ಷ ಮತ್ತು ಉಪಾಧ್ಯಕ್ಷರ ಜನಾವಣೆಯನ್ನು ಈ ತಿಂಗಳ ಆಪ್ತರಿನಲ್ಲಿ ಮಾಡುವುದಕ್ಕೆ ಯೋಜನೆ ಮಾಡಿದ್ದೇವೆ ಎಂದು ಹೇಳಿರುವುದರಿಂದ ಅವರ ಹೇಳಿಕೆ ತೃಪ್ತಿಕರವಾಗಿದೆ ಅದನ್ನು ಪುಷ್ಟೀಕರಿಸುತ್ತೇನೆ.

ಶ್ರೀ ಕೋಣಂದೂರು ಲಿಂಗಪ್ಪ.—ಈಗ ಅದು ನಿಗದಿಯಾಗಿರುವುದರಿಂದ ಎಷ್ಟು ಜನರು ಪಕ್ಷಾಂತರವಾಗಿದ್ದಾರೆ ಎಂದು ತಿಳಿಸುತ್ತೀರಾ

ಶ್ರೀ ಡಿ. ಕೆ. ನಾಯ್ಡು.—ಇದರಲ್ಲಿ ಪಕ್ಷಾಂತರದ ಪ್ರಶ್ನೆಯೇ ಇಲ್ಲ.

(iii) *re : power disconnection at Sri Shankara Textile Mills Davangere and hardship to labourers.*

SMT C. NAGAMMA KESHAVAMURTHY (Davangere).—I call the attention of the Minister for Labour to the Hardship caused to the labourers and the staff of Sree Shankara Textile Mills at Davangere on account of closure of the Mill.

SRI C. N. PATIL (Minister for Labour).—I wish to make the following Statement:

The management of Sree Shankara Textile Mills Ltd., Davangere had 763 workers in employment. This included 682 permanent workers and 61 temporary workers. The management laid-off 299

workers from 1-9-1975 and the remaining workers were also laid off in patches subsequently with the result that all the employees are completely laid-off from 1-6-1976. The work in the Mills has been completely stopped. The reasons given for the lay-off of the workmen are financial crises and non-availability of credit facilities from the bankers. It is stated that the mills sustained continuous loss. The affected workmen have been paid lay-off compensation due under law up to 31-3-1976: The management have not paid any lay-off compensation for the period subsequent to 1-4-1976 although the lay-off is continuing. The then Minister of State for Labour discussed with the parties on 23-7-1976 the issue of outstanding dues to the workmen with regard to the lay-off compensation and the question of reopening of the Mills. But the discussions did not lead to any solution of the deadlock.

In the meanwhile the Central Act *viz.*, the Industrial Disputes Act was amended and the new sections 25M and 25N came into force from 5-3-1976. According to these sections, a management employing 300 and more workmen has to take the permission of the prescribed authority either for laying off of the workmen or for continuing the lay-off of the workmen, if it existed as on the date of coming into force of the new sections. The State rules under the I.D. (Amendment) Act 1976 were issued in Government Notification No. SWL 38 LLE 76 published in the Gazette dated 24-6-1976. The Commissioner of Labour was appointed in Government Notification No. SWL 74 LLE 76 dated 22-6-1976, as the specified authority under sections 25M and 25N of the Industrial Disputes Act.

The management of Sree Shankara Textile Mills Ltd., subsequently sent an application in the prescribed proforma on 4-8-1976 to the specified authority *viz.*, the Commissioner of Labour requesting permission to continue the lay-off of the workmen from March 1976. As per sub-section (2) of section 25M if workmen had been laid-off before the commencement of the Amended Act, 1976 (*i.e.*, 5-3-1976) and the lay-off continued, the employer should have applied for permission to the prescribed authority within a period of 15 days from such commencement. Accordingly the employer should have applied before 20-3-1976 for permission to continue the lay-off. But the management did not file its application within 15 days from the date of appointing the specified authority.

The Commissioner of Labour thereupon issued a notice on 15-9-1976 to the Managing Director of Sree Shankara Textile Mills and the President of Shankara Textiles Mills Labour Union, Davangere, calling upon them to attend a joint meeting on 25-9-1976. But, both the parties did not turn up for the meeting.

After perusing the materials presented to him by the management along with their application, the prescribed authority (the Commissioner of Labour) passed order on 29-9-1976 refusing permission for the following reasons :—

1. The Provisional profit and loss account of the Mill showed that there was a closing stock of heavy value as on 31-3-1976. The management had not furnished any details about the disposal of this stock or about the attempts made to dispose of the stock after 31-3-1976.

2. the management failed to furnish any details of the reactions of the financial institutions or of the Director of Industries and Commerce to its applications for financial aid.

3. the failure of the management to respond to the notice of the Labour Commissioner betrayed a lack of seriousness on its part to pursue the application earnestly.

The lay-off is still continuing and the management has not restarted the mills in view of the fact that the permission to continue the lay-off has not been granted, the continuance of the lay-off is illegal. The management is also liable under law to pay full wages to the workmen for this period of illegal lay-off.

In the meanwhile, the Standing Expert Committee of the National Industrial Committee on Textiles (Private Sector) has taken up investigation into the case.

The Committee heard both the parties at Bangalore on 6-11-1976. The management has been asked by the Committee to forward a statement before the close of the current month explaining the minimum financial aid they would require to restart the operations in the mills. The Committee has also asked to sought detailed information regarding the stage of pendency of the managements application for loan to the Bank of Mysore as also complete information in respect of the point or points on which the Bank wanted more details before their application could be processed. The Committee has to submit its report to the National Apex Body and the decision that the Government of India may take thereon is awaited.

The State Government is watching the Labour situation in the Mills and should it become necessary, will they not hesitate to resort to penal action in respect of the illegal lay-off.

C. N. PATIL

Minister for Labour,

SMT. C. NAGAMMA KESHAVAMURTHY.—Madam Speaker as per the statement more than 700 families of workers and 40 families of the staff of this Mill are suffering; and some of the labourers have worked in this Mill for over 28 years and the staff salary has not been paid for more than six months. The only alternative may be financing the institution and see that it starts working or taking over the Mill so, will the Government consider as a matter of urgency that this mill may be taken over or the finances provided?

SRI C. N. PATIL.—The State apex body when it met on 12th of this month did consider the proposal that this mill be taken over by National Textile Corporation and it has recommended for taking over by the NTC.

(iv) ref: loss incurred by industrialists on account of power disconnection

SRI B. B. SAYANAK (Belgaum).—I call the attention of the Minister of State for Power to great loss incurred by the industrialists and also the State on account of disconnection of power supply without prior notice of about 100 industrial concerns in Belgaum City.

SRI B. SUBBIAH SHETTY (Minister of State for Electricity).—I wish to make the following Statement.—

My attention has been called to the loss incurred by industries in Belgaum City on account of disconnection of power without prior notice. It may be stated in this connection that between 27th and 29th October 1976, about 147 installations in the several industrial sheds around Belgaum were disconnected for exceeding power quota. In the second week of October 1976 itself, i. e., about two weeks before the disconnection, all these consumer were given notice of their energy entitlement and of disconnection if the quota was exceeded.

However a delegation met the Superintending Engineer (Electrical) Hubli on 28th October 1976 in the evening and after obtaining an assurance from the delegation to the effect that they would adjust the excess quota in the subsequent months and pay the penal charges, the Superintending Engineer (Electrical) Hubli gave instruction to the Executive Engineer (Electrical) Belgaum to reconnect all the power installations which were so disconnected.

All the installations have been accordingly reconnected on 29th October 1976.

SRI B. B. SAYANAK.—Between 27th to 29th 140 connections of the industrialist have been removed resulting in great loss to them. Was it not the duty of the Executive Engineer to call the industrialists and discuss this problem and then disconnect electricity?